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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

FNBN-RESCON I LLC, a Delaware limited
liability company,

Plaintiff,

vs.

JOHN A. RITTER, individually; JOHN A.
RITTER, AS TRUSTEE OF THE MUSTANG
TRUST,

Defendants.

FNBN-RESCON I LLC, a Delaware limited
liability company,

Plaintiff,

vs.

JOHN A. RITTER, individually,

Defendant.

FNBN-RESCON I LLC, a Delaware limited
liability company,

Plaintiff,

Case No. 2:11-cv-01867 JAD-VCF
Consolidated with 2:11-cv-01868-JAD-VCF

**STIPULATION AND
ORDER OF DISMISSAL WITHOUT
PREJUDICE**

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1 vs.

2 JOHN A. RITTER, individually; JOHN A.
3 RITTER, AS TRUSTEE OF THE MUSTANG
4 TRUST; FOCUS INVESTMENT MANAGER,
5 LLC, a Nevada limited liability company,

6 Defendant.

7 **STIPULATION AND ORDER OF DISMISSAL WITHOUT PREJUDICE**

8 Plaintiff FNBN-RESCON I, LLC, through their attorneys of record, the law firms of
9 Quarles & Brady LLP and Smith Larsen & Wixom, Chd. ("Plaintiff"), and Defendants John A.
10 Ritter, individually and as Trustee of the Mustang Trust, and Focus Investment Manager, LLC,
11 through their attorneys of record, the law firm of Reid Rubinstein and Bogatz (collectively
12 "Defendants"), HEREBY STIPULATE AND AGREE AS FOLLOWS:

13 1. Plaintiff and Defendants have entered into a Settlement Agreement, pursuant to
14 which Plaintiff and Defendants have agreed to resolve their dispute and this litigation; and

15 2. Pursuant to the Settlement Agreement, although the first priority loans at issue in
16 this litigation have not been extinguished or resolved, the parties have agreed to dismiss the
17 pending claims without prejudice, with each party to bear its own fees and costs.

18 **ORDER**

19 Based on the parties' stipulation, IT IS HEREBY ORDERED that this action is
20 DISMISSED without prejudice, each side to bear its own fees and costs. The Clerk of
21 Court is instructed to close this case.

22 Dated: September 30, 2015.

23 
24 UNITED STATES DISTRICT JUDGE
25
26

REID RUBINSTEIN & BOGATZ

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Las Vegas, Nevada 89169
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1 DATED this 30th day of September, 2015.

2 QUARLES & BRADY LLP

3
4 By: /s/ James L. Burke
5 Susan G. Boswell, Esq.,
6 Nevada Bar No. 4539
7 James L. Burke, Esq.,
8 Arizona Bar No. 011417
9 *Admitted Pro Hac Vice*
10 One South Church Avenue, Suite 1700
11 Tucson, Arizona 85701

12 -and-

13 SMITH LARSEN & WIXOM, CHD
14 Michael B. Wixom, Esq.,
15 Nevada Bar No. 2812
16 1935 Village Center Circle
17 Las Vegas, Nevada 8913418 *Attorneys for Plaintiff FNB-N-RESCON I*
19 *LLC*

DATED this 30th day of September, 2015.

REID RUBINSTEIN & BOGATZ

By: /s/ Charles M. Vlasic III
Scott Bogatz, Esq., Bar No. 3367
Charles M. Vlasic III, Esq.,
Nevada Bar No. 11308
3883 Howard Hughes Pkwy, Suite 790
Las Vegas, Nevada, 89169*Attorneys for Defendants*ORDER

BASED UPON THE FOREGOING, IT IS SO ORDERED:

UNITED STATES DISTRICT JUDGE

DATED: _____